IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICITON

NOTICE OF MOTION NO.3738 OF 2004
WITH
INCOME TAX APPEAL (L) NO.1563 OF 2004

The Commissioner of Income Tax-VI .. Applicant

Versus

M/s.Greaves Limited .. Respondent.

Mr.Ashok Kotangale for the applicant.

Mr.S.J. Mehta for the respondent.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 7TH AUGUST, 2007.

P.C. :

1. Insofar as question (a) is concerned, the same is covered by the Judgment of a coordinate Bench of this Court dated 6th August, 2007 in the assessee's own case. The question has been answered in favour of the assessee and against the revenue.

2. Insofar as question (b) is concerned, the same is covered by the Judgment reported in 290 ITR 667. The question has been answered in favour of the assessee and against the revenue

3. In view of above, learned counsel seeks leave to withdraw the notice of motion and the appeal.

4. The notice of motion as also the appeal are dismissed as withdrawn.

5. Refund of Court fee as per rules.

6. Certified copy expedited.

(F.I. REBELLO, J.)

(J.P. DEVADHAR, J.)